



United States Department of the Interior

5/02/031

BUREAU OF LAND MANAGEMENT

Cedar City Field Office
176 East DL Sargent Drive
Cedar City, Utah 84720

RECEIVED

APR 26 2001

DIVISION OF
OIL, GAS AND MINING

In Reply Refer To:
UT-040
3809: UTU-78619

April 24, 2001

Mr. Jimmy Hodges
P.O. Box 1319
Beaver, Utah 84713

Dear Mr. Hodges:

This letter acknowledges a notice of intent to commence mechanized surface sampling operations, submitted by yourself in person in this office on April 9, 2001. The notice of intent proposes upgrading and extending existing access roads to a surface outcropping of flow-banded, topaz-rich rhyolite, and excavating at that surface outcrop to explore for commercially valuable red beryl crystals. The project area is located in the vicinity of Sawmill Canyon, three miles northeast of Steamboat Mountain in the Indian Peak Range, Iron County. The areas to be disturbed by this project fall within portions of the W $\frac{1}{2}$ and the SE $\frac{1}{4}$ of section 23, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 24, both in T. 31 S., R. 17 W., SLPM. The total area proposed for disturbance was about 2 acres. The notice has been assigned to BLM case file UTU-78619, Wah Wah Prospect.

The notice has been reviewed by this office for compliance with the regulations found at 43 CFR 3809 and possible conflicts with cultural resources, threatened or endangered (T & E) plants and animals, and land status. ***The archeologist identified a cultural resource site along your proposed access route in the topographic saddle within the S $\frac{1}{2}$ SE $\frac{1}{4}$ of section 23, T. 31 S., R. 17 W., and the perimeter of this cultural site is prominently marked by white and yellow flagging attached to trees. You will be required to route your proposed access road around this site perimeter, either to the north or south of it, whichever you believe is more practical.***

The following was determined from my pre-disturbance inspection of the areas to be disturbed by the work proposed in the notice:

1. Any upgrading of the 0.8 miles of existing jeep trail, located in the W $\frac{1}{2}$ of section 23, beginning at the County-maintained Sawmill Canyon road and ending near the beginning of your new proposed road, will be counted as new disturbance. The existing trail is very narrow and essentially a two-track, and any improvements to the width of this road, by grading, bulldozing, or repeated travel, will be subject to reclamation. Minor improvements along the trail, such as smoothing sharp dips, as long as the work can be performed within the existing road width, will not require any reclamation.
2. The entire length of new access road (which I measured at 4300') will be treated as new disturbance. At a minimum practical width of ~10' this new road will create ~1 acre of disturbance.
3. Excavation activity at the exploration site needs to be limited to the bare minimum until it is clear the site has commercial value for exploitation. Any overburden rock excavated should be carefully stacked on the west side of the ridge, adjacent to and northwest of the proposed site, so that this rock will be available from reclamation. Waste rock should not be cast downslope on the east side of the ridge, or it will grossly increase the area disturbed and the required bond amount.

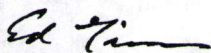
4. Please keep in mind that the area that can be disturbed at this exploration site is affected by the total area disturbed to reach the site. **Assuming you don't perform any upgrading to the width of the existing jeep trail, the maximum site disturbance at the exploration site should not exceed 1 acre.** If more that this area needs to be disturbed, the notice will need to amended and the bond increased accordingly, before the work is conducted.
5. The access gate location proposed in your notice, being along the access trail at the saddle west of the site, will not be practical without disturbing the identified cultural site. If any access gate is necessary, it should be moved either to the side slope several hundred feet west of the exploration site on the ridge, or along the sidehill stretch of trail located within the SW¼SE¼ of section 23.

A copy of the information provided in your notice has been forwarded to the Utah Division of Oil, Gas, and Mining (DOGM). Please be advised that you must receive written acceptance from DOGM before commencing active operations on your project area. DOGM requires the payment of permit application fees before acknowledging acceptance of a complete notice of intention. A \$100 fee is required to accompany new notices for exploration or small mining operations (disturbing 5 or less surface acres).

Surface management regulations (43 CFR 3809) require reclamation of all disturbed public land and that reasonable measures be taken to prevent unnecessary or undue degradation of the land. The general operating practices and reclamation standards attached apply to the disturbances to be made under this notice. If your operations extend for more than a year, please advise us of the status of your exploration activities on the anniversary of your notice. Site reclamation is to be secured by your posting of an acceptable financial security in the amount of \$6,000 with the BLM State Office, in Salt Lake City. This amount was estimated based on the notice activities disturbing a total of not more than 2 acres. Please keep in mind if more than this area is disturbed under this notice that this bond amount will have to be adjusted accordingly. As soon as you receive acknowledgment from the Utah State Office that the financial instrument is acceptable, you may proceed with the notice work.

If you have any questions, feel free to call me at (435) 865-3040.

Sincerely,



Ed Ginouves
Mining Engineer

Enclosures:
CCFO SOP's and RS

xc: Tom Munson, DOGM - with copy of notice UTU-78619, CCFO SOP's and RS

STANDARD OPERATING PROCEDURES
for
Exploration/Mining Activities, BLM Cedar City Field Office

1. Existing road access will be used whenever possible. Access will be planned for the minimum width needed for operations and will not exceed 16 feet in width. Roads will follow natural contours where practicable to minimize the need for cut and fill. The cuts from construction or improvement of access will be less than 3 feet on the inside edge. The authorized officer will be notified of any exceptions before construction begins.
2. Disturbance of existing vegetation will be held to the minimum necessary for the operation. Large vegetation such as pinion and juniper trees will be avoided whenever possible.
3. If cultural resources are encountered, including all historic or prehistoric artifacts or structures, the operator will immediately suspend operations and report the findings to the BLM area or district office. It is the responsibility of the operator to ensure there is no removal or destruction of historic and prehistoric remains on public lands.
4. If an endangered species is encountered, the operator will avoid the species and immediately inform the BLM area office. Wild horses, wildlife and livestock will not be harassed.
5. All sites will be kept in a safe, clean, and environmentally stable condition. Any hazardous materials used in the operation must be pre-approved by BLM personnel and kept in approved safe containers. The BLM area or district office will be immediately notified of any spills or accidents involving hazardous materials.
6. Water from stock-water reservoirs, springs, and wells will not be used for operations unless prior approval has been granted by the individual or agency responsible for the water rights of the source.
7. All official survey monuments, witness corners, reference monuments, bearing trees, etc., will be protected against destruction, obliteration or damage. Current mining claim markers will also be protected. When mining or exploration activities are concluded, the operator will remove all operation survey markers, stakes, flagging, etc., which are not needed for ongoing activities.
8. Wet roads should be avoided when ruts of two inches or deeper will result from road use. The operator will be responsible for reconditioning public roads used under these conditions.

RECLAMATION STANDARDS
for
Exploration/Mining Activities, BLM Cedar City Field Office

1. At the earliest feasible time, the operator will reclaim the area disturbed, except to the extent necessary to preserve evidence of mineralization and roads needed for continuing mineral exploration. Reclamation will include reasonable measures to prevent or control onsite and offsite damage of public lands.
2. Reclamation will include but not be limited to:
 - a. Saving topsoil (top 3 to 6 inches) for final application after reshaping of disturbed areas.
 - b. Controlling erosion, landslides, and water runoff.
 - c. Isolating, removing, or controlling toxic materials.
 - d. Reshaping disturbed areas, applying topsoil, and re-vegetating where reasonably practicable.
 - e. Controlling noxious weeds invading the site.
 - f. Rehabilitating fisheries and wildlife habitat.
3. Access roads, unless otherwise approved by the authorized officer, will be closed by reshaping the disturbed area to near original contours, scarifying where compaction prevents seed covering, and re-vegetating with the mixture specified below. Water bars will be placed on steep inclines and access blocked to future vehicular traffic.
4. Unless otherwise approved in the acceptance of the notice, all high walls or material piles will be re-contoured to slopes not steeper than 3:1 and re-vegetated using the recommended mixture.
5. Authorized pits with high walls in excess of 4 feet will be fenced or barricaded to protect unsuspecting public land users from injury. All shafts and adits will be covered or blocked to prevent unauthorized or accidental entry.
6. Seeding of disturbed areas will be done between September 30 and December 15. Seed should not be placed on top of deep snow. Seed beds will be prepared to a depth of 6 inches by ripping, discing, or harrowing. Seed will be planted with a rangeland or farm drill or broadcast seeded. If broadcast seeded, the seed will be harrowed or raked $\frac{1}{4}$ to $\frac{1}{2}$ inch into the soil. The seed amount described below will be doubled if the area is broadcast seeded. The recommended seed mixture (grain) to be used on all disturbed areas if applied by a drill includes:

Blue-bunch wheatgrass	2 lb / acre
Indian ricegrass (var. Nezpar)	1 lb / acre
Smooth brome grass	1 lb / acre
Pubescent wheatgrass	1 lb / acre
Small Burnet	1 lb / acre
Fourwing saltbush	$\frac{1}{2}$ lb / acre
Bitterbrush	$\frac{1}{2}$ lb / acre
Lewis Flax	$\frac{1}{2}$ lb / acre
Palmer Penstemon	$\frac{1}{2}$ lb / acre
7. All hazardous tailing dumps, materials or substances produced by the operation will be disposed of in accordance with applicable federal and state laws. All waste, debris, buildings, and materials will be removed from the site and deposited at appropriate waste facilities.
8. All dry drill holes will be plugged with uncontaminated native material to a depth of 5 feet. The top 5 feet will be plugged with cement. Drill holes which encounter water will also be cemented from at least 50 feet below to 50 feet above the saturated zone. The location, depth, and relative flow rate of any subsurface water encountered will be reported to the authorized officer.
9. Additional reclamation requirements may be needed on a case-by-case basis. These additional requirements will be issued by the authorized officer after consultation with the operator.
10. The authorized officer will be notified within 10 days of final reclamation.